

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

VNUS MEDICAL TECHNOLOGIES, INC.,

No. C-05-2972 MMC

Plaintiff,

v.

DIOMED HOLDINGS, INC., et al.,

Defendants

**ORDER DIRECTING DEFENDANTS
DIOMED HOLDING, INC. AND DIOMED,
INC. TO LODGE CHAMBERS COPIES IN
COMPLIANCE WITH GENERAL
ORDER 45 AND THE COURT'S
STANDING ORDERS**

On September 6, 2007, defendants Diomed Holdings, Inc. and Diomed, Inc. electronically filed a "Statement of Recent Decision in Support of Defendants' Motion for Summary Judgment of Invalidity under 35 U.S.C. § 112." Defendants have violated General Order 45 and the Court's Standing Orders, however, by failing to deliver to the Clerk's Office "no later than noon on the business day following the day that the papers are filed electronically, one paper copy of each document that is filed electronically . . . marked 'Chambers Copy' and . . . clearly marked with the judge's name, case number, and 'Chambers Copy-Do Not File.'" See General Order 45 § VI.G; see also Standing Orders For Civil Cases Assigned to The Honorable Maxine M. Chesney ¶ 2.

Defendants are hereby ORDERED to comply with General Order 45 and the Court's Standing Orders by immediately submitting a chambers copy of the above-referenced document. Defendants are hereby advised that if they fail in the future to comply with the

1 Court's Standing Order to provide chambers copies of electronically-filed documents, the
2 Court may impose sanctions, including, but not limited to, striking from the record any
3 electronically-filed document of which a chambers copy has not been timely provided to the
4 Court.

5 **IT IS SO ORDERED.**

6
7 Dated: September 11, 2007


MAXINE M. CHESNEY
United States District Judge